



City/County
Planning Division

Billings
Metropolitan
Planning
Organization

2825 3rd Ave.
N Billings, MT
59101 4th Floor
P 406.247.8676

billingsmt.gov

May 12, 2023

City Variance 1367

Project Number: PZX-23-00085

Dear Property Owner:

This is to inform you of the following request recently submitted to the City/County Planning Department.

City Variance 1367 – Ping Circle – Allow a variance from max garage width, build to zone - A variance from Sec. 27-305 (Table 27-300.4) from the required Front Side Build-To zones to allow the front door and living area of a new residence to be more than 50 feet from the front property line, and allow garage entry door width more than fifty percent (50%) in an N2 zone, on Lots 5, 6, 10 & 11, Block 1, Founders Park Subdivision, 4 lots totaling 35,689 square feet of land. The purpose of the variance is to allow construction of homes on four unique shaped parcels in the Founders Park Sub. Tax ID: A36854, A36858, A36858, A36859

The City Board of Adjustment will hold its public hearing in the 1st Floor Conference Room at 2825 3rd Avenue North (Miller Building) on June 7, 2023 beginning at 6:00 pm.

All interested persons are invited to attend in person or view the meeting on-line on the Billings-Planning & Community Services Facebook Page here;

<https://tinyurl.com/yckr478k>

A public comment phone line is available for on-line viewers to provide testimony during the specific Public Comment periods announced by the Chairman during the hearings. The call in phone number is (406)237-6165. All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be restricted to 3 minutes of testimony as is customary. Written comments may also be sent to Board via email before 1:00 PM the day of the meeting. All emails received prior to this time will become part of the record for the public hearings.

Additional information on this application is available on-line at

<https://www.billingsmt.gov/2361/Current-Zoning-Applications> or in the Planning Offices at 2825 3rd Ave N – 4th Floor.

Public hearings are accessible to individuals with physical disabilities. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing. Please notify Robbin Bartley, Administrative Assistant, at 247-8676 or e-mail to bartleyr@billingsmt.gov

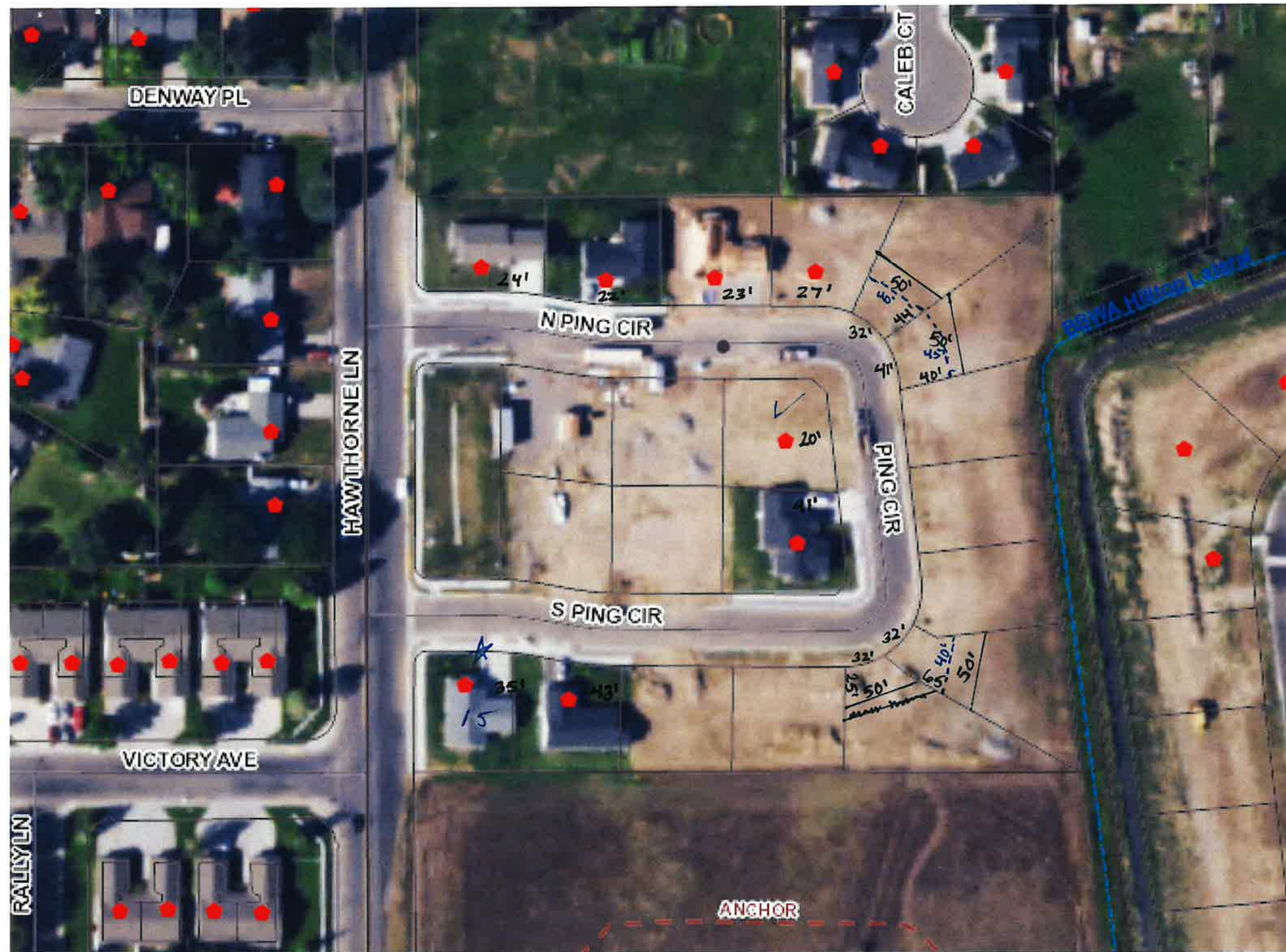
Sincerely,
The Staff of the City/County Planning Division

Before granting a variance, the City Board of Adjustment shall consider all of the following: (BMCC 27-1627.D)

- 1) That special conditions and circumstances exist which are peculiar to the land, the lot or something inherent in the land which causes the hardship, and which are not applicable to other lands in the same district;
- 2) That a literal interpretation of the provisions of this Zoning Code would deprive the applicant of rights commonly enjoyed by other tracts in the same district;
- 3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this Zoning Code to other land in the same district;
- 4) That the granting of the variance will be in harmony with the general purpose and intent of this Zoning Code and with the growth policies;

Board of Adjustment Review and Decision Making (BMCC 27-1627.E)

- 1) Whenever the City Board of Adjustment grants an application for a variance, the minutes shall specifically state the criteria upon which the variance is granted.
- 2) In granting any variance, the BOA may prescribe appropriate conditions and safeguards in conformity with this Zoning Code. Violation of such conditions and safeguards, when made a part of the terms upon which the variance is granted, shall be deemed a violation of this Zoning Code.
- 3) The BOA shall prescribe a time limit within which the action for which the variance is required shall be begun or completed, or both. Failure to begin or complete such action within the time limit set shall void the variance.
- 4) Under no circumstances shall the BOA grant a variance to allow a use not permissible under the terms of this chapter in the district involved. A variance shall not be a grant of special privilege inconsistent with limitations placed upon other property in the district.
variance



Founder's Park Subdivision:

